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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,953	02/02/2001	Stephen D. Flanagan	13768.192	1535

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WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER &
SEELEY)

60 EAST SOUTH TEMPLE
1000 EAGLE GATE TOWER
SALT LAKE CITY, UT 84111

EXAMINER

ABRAHAM, ESAW T

ART UNIT

PAPER NUMBER

2133

DATE MAILED: 06/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

3

Office Action Summary

Application No.

09/775,953

Applicant(s)

FLANAGIN ET AL.

Examiner

Esaw T Abraham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amdt A filed on 04/05/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Response to the applicant's amendments

*****Amended claims (5,6,8,12,16,19, and 20) to correct the informalities noted in the first office action are accepted by the examiner.

*****The 112, 2nd paragraph rejection to reject claim 11 is withdrawn by the examiner.

Response to the applicant's argument

Remark pages 10-11, applicant's argument regarding the second reference (U.S. PN: 6,324,544, Alam et al.) as being disqualified as prior art have been fully considered and accordingly the reference as a prior art is withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of U.S. PN: 6,052,735, Ulrich et al.

DETAILED ACTION

1. Claims **1 to 31** are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.

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3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
2. Claims **1-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ulrich et al. (U.S. PN: 6,052,735).

As per claims **1 and 23**, Ulrich et al. in figure 5 disclose or teach a mobile device (3) and desktop computer (4) used in synchronizing objects stored in object store (6) on mobile device and object store (8) on desktop computer and further the mobile device includes synchronization interface component (100), synchronization manager (102), remote application programming interface server (116), and electronic mail messaging transports (132, 134 and 136) and the desktop computer includes, synchronization interface component (108), synchronization manager (110) (see figure 5 and col. 8, lines 15-34). Ulrich et al. teach that the desktop computer and the mobile device contain personal information management systems, such as objects maintained by applications synchronized between the desktop computer and the mobile device (see col. 2, lines 60-65 and abstract). Ulrich et al. in figure 5 teach that if an object is identified in reference store 112, but not in object store 8, that particular object has been deleted from the desktop 4 since the last synchronization and on the other hand, if an object is identified in object store 8, but it does not appear in reference store 112, then it has been added to the desktop since the last synchronization and further in either case, synchronization manager 110 determines how to handle the object and furthermore those objects which have been deleted from desktop object store 8 are also deleted from reference store 112 (see col. 10, lines 25-44). Ulrich et al. **do not explicitly** teach an act of synchronizing the device synchronization partner using a filter wherein the filter excludes the object from the

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synchronization. However, Ulrich et al. teach that filtering techniques can be implemented during synchronization (see abstract), which the system of Ulrich et al. is basically teaching the same as the applicants' act of synchronization using a filter for excluding objects. **Therefore**, it would have been obvious to a person having an ordinary skill in the art at the time the invention was made to employ a process of filtering to exclude objects. **This modification** would have been obvious because a person having ordinary skill in the art would have been motivated to do so because it would provide synchronization architecture to alleviate unwanted integration of messages (see col. 3, lines 8-11).

As per claims **2 and 24**, Ulrich et al. teach all the subject matter claimed in claims 1 and 23 including Ulrich et al. teach that filtering techniques can be implemented during synchronization and predetermined attachments are automatically provided to the electronic mail message object store on the mobile device (see abstract).

As per claims **3 and 25**, Ulrich et al. teach all the subject matter claimed in claims 1 and 23 including Ulrich et al. teach that if an object is identified in reference store 112, but not in object store 8, (preventing the object from being deleted) that particular object has been deleted from the desktop 4 since the last synchronization. On the other hand, if an object is identified in object store 8, but it does not appear in reference store 112, then it has been added to the desktop since the last synchronization. In either case, synchronization manager 110 determines how to handle the object (see col. 10, lines 32-44).

As per claims **4, 9, 26 and 31**, Ulrich et al. teach all the subject matter claimed in claims 1 and 23. Ulrich et al. **do not explicitly** teach a method of deleting objects as soft delete.

However, the technique of using a soft delete for deleting objects is known in the art for most

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of mobile data communication systems. Therefore, it would have been obvious to a person having an ordinary skill in the art at the time the invention was made to employ a process that performs a soft delete to reserve a record space available for overwrite by converting it to a "gap" record. **This modification** would have been obvious because a person having ordinary skill in the art would have been motivated in order to increase memory utilization efficiency.

As per claims **5 and 27**, Ulrich et al. teach all the subject matter claimed in claims 1 and 23 including Ulrich et al. teach that synchronization manager 110 determines whether any objects stored in object store 6 on mobile device 3 have been added or modified since the last synchronization. To determine whether an object has been added to object store 6, synchronization manager 110 compares the list of objects in reference store 112 (which reflects all objects at the last synchronization) with a list of objects on object store 6 maintained by synchronization manager 102 and further to determine whether an existing object has been modified, synchronization manager 102 is configured to maintain a status bit associated with each object stored in object store 6 (see col. 10, lines 45-53).

As per claims **6-8 and 28-30**, Ulrich et al. teach all the subject matter claimed in claims 1 and 23 including Ulrich et al. in figure 5 disclose a mobile device includes a synchronization manager (102) (see figure 5 and col. 8, lines 15-34).

As per claims **10 and 18**, Ulrich et al. teach all the subject matter claimed in claims 1 and 23 including Ulrich et al. in figure 5 teach that if an object is identified in reference store 112, but not in object store 8, that particular object has been deleted from the desktop 4 since the last synchronization and on the other hand, if an object is identified in object store 8, but it does not appear in reference store 112, then it has been added to the desktop since the last

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synchronization and further in either case, synchronization manager 110 determines how to handle the object and furthermore those objects which have been deleted from desktop object store 8 are also deleted from reference store 112 (see col. 10, lines 25-44). Further, Ulrich et al. teach that filtering techniques can be implemented during synchronization (see abstract). Ulrich et al. **do not explicitly** teach a method of deleting objects as soft delete. **However**, the technique of using a soft delete for deleting objects is known in the art for most of mobile data communication systems. Therefore, it would have been obvious to a person having an ordinary skill in the art at the time the invention was made to use a process that performs a soft delete to reserve a record space available for overwrite by converting it to a "gap" record. **This modification** would have been obvious because a person having ordinary skill in the art would have been motivated in order to increase memory utilization efficiency.

As per claims **11-12, 16, and 20-22**, Ulrich et al. teach all the subject matter claimed in claims 10 and 18 including Ulrich et al. teach that filtering techniques can be implemented during synchronization (see abstract).

As per claims **13 and 14**, Ulrich et al. teach all the subject matter claimed in claim 10 including Ulrich et al. teach that a synchronization manager 110 executes on desktop computer 4 and orchestrates synchronization between objects in object store 6 in handheld device 3, and objects in object store 8 in desktop computer 4 and further synchronization manager 110 also maintains reference store 112 apart from desktop object store 8 (see col. 8, lines 35-40).

As per claim **15**, Ulrich et al. teach all the subject matter claimed in claim 10, including Ulrich et al. teach that synchronization manager 110 determines whether any objects stored in object store 6 on mobile device 3 have been added or modified since the last synchronization.

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To determine whether an object has been added to object store 6, synchronization manager 110 compares the list of objects in reference store 112 (which reflects all objects at the last synchronization) with a list of objects on object store 6 maintained by synchronization manager 102 and further to determine whether an existing object has been modified, synchronization manager 102 is configured to maintain a status bit associated with each object stored in object store 6 (see col. 10, lines 45-53).

As per claim 17, Ulrich et al. teach all the subject matter claimed in claim 10 including Ulrich et al. teach that if an object is identified in reference store 112, but not in object store 8, (preventing the object from being deleted) that particular object has been deleted from the desktop 4 since the last synchronization. On the other hand, if an object is identified in object store 8, but it does not appear in reference store 112, then it has been added to the desktop since the last synchronization. In either case, synchronization manager 110 determines how to handle the object (see col. 10, lines 32-44).

As per claim 19, Ulrich et al. teach all the subject matter claimed in claim 18 including Ulrich et al. teach that synchronization manager 110 determines whether any objects stored in object store 6 on mobile device 3 have been added or modified since the last synchronization. To determine whether an object has been added to object store 6, synchronization manager 110 compares the list of objects in reference store 112 (which reflects all objects at the last synchronization) with a list of objects on object store 6 maintained by synchronization manager 102 and further to determine whether an existing object has been modified, synchronization manager 102 is configured to maintain a status bit associated with each object stored in object store 6 (see col. 10, lines 45-53).

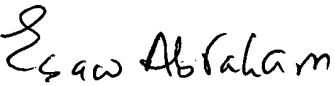
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Conclusion

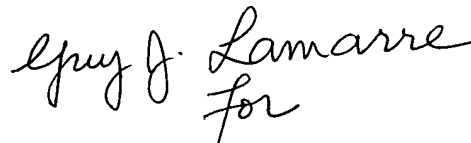
3. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Esaw Abraham whose telephone number is (703) 305-7743. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are successful, the examiner's supervisor, Albert DeCady can be reached on (703) 305-9595. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


Esaw Abraham

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for

Albert DeCady
Primary Examiner